

**RESOLUTION AND ORDER AUTHORIZING THE PURCHASE
OF THE DIAMONDHEAD BAPTIST CHURCH
BY THE CITY OF DIAMONDHEAD, MISSISSIPPI**

Then came on for consideration by the Mayor and City Council, an offer by Diamondhead Baptist Church, a Mississippi non-profit corporation, to lease and grant the City an exclusive and irrevocable option to purchase the church property for use as a City Hall and Police Station, and after full discussion and due consideration, the Mayor and City Council find as follows:

(1) The City has been and is in urgent and necessitous circumstances because there is currently a pressing need, but no suitable location for a City Hall and Police Station; and,

(2) On or about June 20, 2012, the City published a RFQ for architectural services and subsequently accepted the services of Eley, Guild, Hardy Architects in Biloxi, Mississippi, who surveyed available facilities located within the City of Diamondhead to serve as a City Hall. A copy of that survey is attached to these minutes as Exhibit No. 1; and,

(3) In October of 2012, The Diamondhead Baptist Church made known to the City that since it was dissolving it was willing to dedicate and transfer its property to the public use and benefit of the City of Diamondhead upon payment by the City of the outstanding bonded indebtedness due and owing Reliance Trust Company. Prior to entering into negotiations with the Trustees of the Diamondhead Baptist Church, the City obtained a current appraisal of the Church property from John D. Myers of Myers & Company, Inc. in Ocean Springs, MS. A copy of said appraisal dated November 8,

2012, is attached to these minutes as Exhibit No. 2. Mr. Myers had earlier in December of 2009, appraised said property at the Church's request for the Hancock Bank. A copy of that appraisal is attached to these minutes as Exhibit No. 3. The Church has been provided with a copy of the current appraisal (Ex. No. 2); and,

(4) The Diamondhead Baptist Church has offered its property to the City at substantially less than its current value, i.e., payment of the outstanding indebtedness of approximately \$1,009,000.00, plus the payment of \$22,220.00 by the City for certain personal property (See Bill of Sale attached as Exhibit No. 4 to these minutes) for the City to use as a City Hall. The Church has offered to execute a lease agreement with an exclusive and irrevocable option to purchase to the City in the form and under the terms and conditions of the lease and option attached to these minutes as Exhibit No. 5. The offer by the Diamondhead Baptist Church is reasonable; and,

(5) The public convenience and necessity requires that the City provide a suitable City Hall, other city facilities and a Police Station, and the Church property adequately meets all the City needs and will meet these needs of the citizens of Diamondhead for at least 20 years; and,

(6) The Church property is available for immediate occupancy and the City will very soon have approximately forty (40) employees, including police and public works employees, and needs City Hall, other city facilities and a Police Station to adequately serve the public convenience and necessity; and,

(7) The Diamondhead Baptist Church has presented the attached Lease Agreement and Option to the City for action and the Mayor and City Council hereby find and adjudicate that the City should accept the Church's offer and dedication and

execute the attached Lease Agreement and Option to immediately provide an adequate City Hall, other city facilities and a Police Station.

Then, Councilman Roberson offered the following Resolution:

Be, and it is hereby resolved that the Mayor and City Council, having unanimously made the above finding of fact, accept the offer of Diamondhead Baptist Church as set forth in the attached Lease Agreement and Option, and the Mayor is hereby authorized, empowered and directed to execute the Lease Agreement and Option on behalf of the City and that the City take immediate possession of the Church property for use as a City Hall, other city facilities and a Police Station, subject to the bonded indebtedness of the Diamondhead Baptist Church with Reliance Trust Company.

This Resolution was seconded by Councilmember Knobloch.

The following vote of the Mayor and City Council on this Resolution was taken:

	AYE	NAY	ABSENT
MAYOR INGRAHAM	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMEMBER ACKERMAN	<u> </u>	<u> </u>	<u>✓</u>
COUNCILMEMBER HOLCOMB	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMEMBER KNOBLOCH	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMEMBER RECH	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMEMBER ROBERSON	<u>✓</u>	<u> </u>	<u> </u>

And the Resolution was declared passed.

APPROVED



MAYOR

ATTEST:


CITY CLERK

SEAL

THIS IS TO CERTIFY THAT THE FOREGOING RESOLUTION WAS ADOPTED BY
THE CITY OF DIAMONDHEAD, MISSISSIPPI, ON THE 7th DAY OF
January, 2013.


CITY CLERK